



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Employee Solicitation Waiver	Executive Order No.  244-18	Subject Suffix
Department Health and Human Services	Department No.	Effective Date  11/30/18

## SOLICITATION OF GIFTS DEPARTMENT OF HEALTH AND HUMAN SERVICES

Pursuant to § 19A-16(b)(3) of the Montgomery County Public Ethics Law, the County Executive Authorizes the Director of the Department of Health and Human Services to designate employees assigned to that Department to solicit gifts for the benefit of programs and services administered by that Department, in accordance with the requirements established by this Executive Order.

### A. Employees Authorized to Solicit Gifts

Any employee designated by the Director of the Department of Health and Human Services may contact potential donors directly.

### B. Purpose of the Gifts

The purpose of the gifts is to benefit the programs and services administered by the Department of Health and Human Services for which no public funds are available or to enhance existing programs and services. The gifts also may be used for the benefit of infrastructure support and integration efforts that the Department needs to perform its responsibilities.

### C. Manner of Solicitation

The Director of the Department of Health and Human Services, or her designee, must authorize all solicitations. A public employee authorized to solicit a gift under this Order may participate in presentations, conduct general solicitations through mailings, participate in media activities, or meet personally with potential donors. An authorized public employee may solicit gifts during official work hours, while identifiable as a public employee, but must not solicit any individual or entity that has a contract with the Department of Health and Human Services, or any other agency with which the employee is affiliated. In no event may an authorized employee solicit gifts from an individual or entity that is engaged in litigation or an adversarial proceeding against the County.



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An authorized public employee may solicit a gift to a nonprofit entity that is formally cooperating with the Department of Health and Human Services on programs or services, if the gift will be used exclusively to benefit programs or services administered by the Department of Health and Human Services. Presently, this solicitation waiver is limited to: World Elder Abuse Day (Aging and Disability); Villagers Gathering (Aging and Disability); and Homeless Resource Day (Services to End and Prevent Homelessness). These events only happen once a year. The nonprofit entity may charge the donor a reasonable and customary administration fee to offset its costs of processing the gift. Any such fee must be negotiated between the county and the nonprofit entity.

## **D. Source of Gifts**

Designated employees may solicit gifts from any individual or entity, including associations, businesses, corporations, foundations, service organizations, chambers of commerce, community groups, religious organizations, and other government agencies.

## **E. Types of Gifts**

Gifts may include monetary contributions, goods and services, technical assistance, training space, furniture or equipment cost.

## **F. Manner of Acceptance of Gifts**

Unless the donor makes a written request that there be no public acknowledgement of the gift, the Director of the Department of Health and Human Services may publicly acknowledge each gift of \$100 or more by placing a notice in the Montgomery County Register indicating the gift donated, the identity of the donor, the identity of the recipient of the gift, and the purpose for which the gift will be used. The Director of the Department of Health and Human Services may issue a press release, if desired.

The Director of the Department of Health and Human Services must notify the Office of the County Executive of the gifts received. The Director may fulfill this requirement by submitting a request for placement of a notice in the Montgomery County Register as outlined above.



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## G. Term

This Executive Order expires on December 1, 2021.

This Executive Order is issued under the Authority of § 19A-16(b)(3) of the Montgomery County Public Ethics Law and Ethics Commission waiver dated April 6, 1990.

Approved:

  
Isiah Leggett, County Executive

Nov 30, 2018  
Date

Approved as to form and legality:

Office of the County Attorney

By: 

Date: 11/28/18